

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 E/S North Charles St., opposite *
 Malvern Avenue * ZONING COMMISSIONER
 6701 N. Charles St. *
 9th Election District * OF BALTIMORE COUNTY
 4th Councilmanic District *
 Greater Baltimore Medial Center, * Case No. 95-363-X
 Inc./American PCS,L.P. *
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 6701 N. Charles Street, near Towson. The property is the site of the Greater Baltimore Medical Center. Special exception relief is requested for approval of a wireless transmitting and receiving facility. Specifically, the Petitioner seeks approval to construct six antenna on the roof of the Physicians Pavillion East building. Although the hospital campus is predominantly zoned D.R.2, the subject building is on land zoned R.O. The Petition is filed by the Greater Baltimore Medical Center, Inc., the corporate property owner, and Margaret C. Ruggieri, Esquire on behalf of American PCS, L.P., (hereinafter known as "APC") Lessee. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Margaret C. Ruggieri, Esquire on behalf of APC. Also present on behalf of that corporation was Gregory Sarro and Debbie Meaney. Also present were consultants retained by APC for this project, namely, Michael Maguire from Daft, McCune and Walker, and Andrew Werchniak. The Petitioner was represented by Christine K. McSherry, Esquire. There were no Protestants or other interested persons present.

This is another in a series of cases which have recently come before this Zoning Commissioner filed by APC. APC is a new entrant in Baltimore

ORDER RECEIVED FOR FILING

Date 5/31/95
 By Sh. Gorkh

County in the fast growing industry of wireless and cellular communication. The company specializes in transmitting not just cellular telephone communication but also wireless fax and information communication. This Commissioner has considered similar Petitions filed by the company for various sites in Baltimore County and is familiar with this business.

As is the case with all cellular providers, the company proposes constructing an interconnected grid of antennas to establish a cellular communication network. These antennas will be strategically placed to cover an established geographic area. A mobile user of the network will then be handed off from one cell grid to another to ensure continuous communication capability.

To cover the general Towson area, the Petitioner proposes placing an antenna on the subject site. As has been the case in similar Petitions, the company wishes to utilize existing structures. This reduces the need for monopoles and new structures to support the antenna.

In the instant case, the Petitioner proposes placing six antennas on the roof of the Physicians' Pavilion East Building on the GBMC campus. The antennas will be placed on the rooftop so as to provide a 360 degree radius of communication capability. Photographs of the site shows that this is one of the higher buildings in the vicinity. The general geographic area is characterized by a dense population and its topography consists of rolling hills and valleys. The Petitioner also submitted an environmental impact study (Petitioner's Exhibit No. 3) and a packet of material (Petitioner's Exhibit No. 2), which describes the characteristics and anticipated impact of the antennas. These reports conclude that there will be no adverse impact on the surrounding locale by the placement of the antennas as proposed.

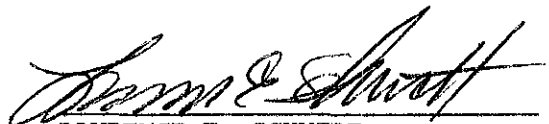
The Zoning Plans Advisory Committee (ZAC) comments are all neutral on this subject. One comment from the Department of Environmental Protection and Resource Management (DEPRM) opines that the Petitioner must comply with FCC requirements as to the antennas and their use. The Petitioner advised that, indeed, these facilities comply with all FCC standards as to safety and will not detrimentally affect other frequencies or communications.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Special Exception. It is clear that the Petitioner has satisfied the standards set forth in Sections 502.1 and 502.7 of the BCZR, as well as the particular requirements governing wireless transmitting facilities contained in Section 426 of the BCZR. Thus, the Petition for Special Exception shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31ST day of May, 1995 that, pursuant to the Petition for Special Exception, approval to allow a wireless transmitting and receiving facility in an R.O. & D.R.2 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

358



Petition for Special Exception

95-363-X

to the Zoning Commissioner of Baltimore County

for the property located at 6701 North Charles Street, Baltimore, MD 21204
which is presently zoned RO AND DR 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

A wireless transmitting and receiving facility.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Margaret C. Ruggieri, Esq.
(Type or Print Name) for American PCS, L.P.
[Signature]
Signature (GENERAL COUNSEL)
One Democracy Center
6901 Rockledge Drive
Address
Bethesda, MD 20817
City State Zipcode

Attorney for Petitioner:

G. Scott Barhight, Esq.
(Type or Print Name)
[Signature]
Signature
Whiteford, Taylor & Preston
210 W. Pennsylvania Ave. (410) 832-2000
Address Phone No.
Towson, MD 21204
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Greater Baltimore Medical Center, Inc.
(Type or Print Name) By: Philip O'Marrah, Vice President
[Signature] of Operations
Signature
(Type or Print Name)

6701 N. Charles Street (410) 828-2171
Address Phone No.
Baltimore, MD 21204
City State Zipcode
Name, Address and phone number of representative to be contacted.

G. Scott Barhight, Esq.
Name
210 W. Pennsylvania Ave. (410) 832-2000
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: _____ DATE _____

MICROFILMED

358

95-363-X

**DESCRIPTION
TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
57.93 ACRE PARCEL
GREATER BALTIMORE MEDICAL CENTER PROPERTY
EAST OF CHARLES STREET
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.**

Beginning for the same on the east side of Charles Street at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Charles Street with the centerline of Malvern Avenue (1) easterly 50' more or less, thence (2) southerly 12' more or less to the point of beginning, said point of beginning having a coordinate value of North 34,950 feet, more or less, and West 3,500 feet, more or less, said values being referred to the coordinate system established in the Baltimore County Metropolitan District, thence leaving said point of beginning and running the 7 following courses and distances, viz; (1) northeasterly, by a curve to the right with a radius of 1095.92 feet, the arc distance of 438.43', (2) S 63° 21' 54" E 10', (3) N 28° 25' 00" E 67.88', (4) N 43° 30' 30" E 56.53', (5) N 56° 41' 50" E 141.32', (6) N 58° 28' 05" E 138.17', (7) N 62° 12' 02" E 21.50', thence leaving said east side of Charles Street and running the twelve following courses and distances, (8) S 37° 46' 55" E 1085.85', (9) S 07° 05' 00" W 180.00', (10) S 02° 40' 53" E 115.22', (11) S 45° 06' 34" E 203.55', (12) S 59° 57' 00" E 310.00', (13) S 06° 44' 36" E 198.66', (14) S 53° 53' 59" W 155.00', (15) S 80° 00' 00" W 165.00', (16) S 24° 25' 09" W 147.50', (17) S 06° 37' 31" E 297.00', (18) S 40° 40' 00" E 240.00', (19) S 52° 00' 00" W 433.40' to intersect the east side of Charles Street, thence running and binding on said east side the following twenty-eight courses and distances, (20) northwesterly, by a curve to the left with a radius of 653.11', the arc distance of 148.53', (21) N 44° 54' 10" E 35.00', (22) N 47° 28' 20" W 57.03', (23) S 40° 09' 10" W 35.00', (24) northwesterly, by a curve to the left with a radius of 653.11', the arc distance of 162.44', (25) N 25° 54' 10" E 30.00', (26) N 66° 28' 20" W 56.61', (27) S 21° 09' 10" W 30.00', (28) northwesterly, by a curve to the left with the radius of 653.11, the arc distance of 2.87', (29) N 69° 05' 56" W 47.35', (30) N 20° 54' 04" E 30.00', (33) N 69° 05' 56" W 355.71', (34) northwesterly, by a curve to the right with the radius of 553.11', the arc distance of 155.26', (35) N 36° 59' 00" E 25.00', (36) N 50° 38' 30" W 43.77', (37) S 41° 44' 00" W 25.00', (38) northwesterly, by a curve to the right with the radius of 553.11', the arc distance of 206.35', (39) N 63° 06' 30" E 35.00', (40) northwesterly, by a curve to the right with



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

10/10/2017

95-363-X

the radius of 518.11', the arc distance of 128.86', (41) N 69° 03' 00" W 41.42',
(42) northwesterly, by a curve to the right with the radius of 553.11', the arc distance
of 134.96', (43) N 03° 42' 49" E 752.84', (44) S 86° 17' 11" E 40.00',
(45) N 03° 42' 49" E 50.00', (46) N 54° 17' 11" W 47.17', (47) N 03° 42' 49" E 166.57' to the
place of beginning; containing 57.93 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY
AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 13, 1995

Project No.: 94161.28



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-363-X

District 9th Date of Posting 4/28/95

Posted for: Special Exception

Petitioner: Greater Bldg. Mod. Ctr.

Location of property: 6701 N. Charles St., E/S

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. Deady Date of return: 5/6/95
Signature

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:

98-363-X (Item 358)
5701 N. Charles Street E/S
N. Charles Street, opposite
Malvern Avenue
9th Election District
4th Councilmanic
Legal Owner:

Greater Baltimore
Medical Center, Inc.
Contract Purchaser:

American PCS, L.P.

HEARING: TUESDAY,

MAY 23, 1995 at 10:00 a.m.

In Rm. 118, Old
Courthouse.

Special Exception: for a
wireless transmitting and re-
ceiving facility.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped accessible; for special
accommodations Please Call
887-3363.

(2) For informa-
tion concerning the File and/or
Hearing. Please Call 887-3391.

4/29/1 April 27.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

4/28

, 19 95

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 4/27, 19 95.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON



City of Baltimore
Zoning Administration &
Development Management
111 West Chestapeake Avenue
Towson, Maryland 21204

receipt

95-363-X

Account: R-001-6150

Number 358

By JLL

Date

4/13/95

1 SPX FILING-(050) 300.00

1 SIGN POSTING-(080) 35.00
(1 AT APP. RQST)

TOTAL \$335.00

APP GBMC INC.

6701 N. CHARLES ST.

PAID 4/13/95

016018013261CHRC

\$335.00

PAID 4/13/95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 358

Petitioner: GREATER BALTIMORE MEDICAL CENTER, INC.

Location: 6701 N. CHARLES ST. BALTIMORE, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DAFT McCUNE WALKER INC.

ADDRESS: 200 E. PENNSYLVANIA AVE

TOWSON, MD 21286

PHONE NUMBER: 296-3333

AJ:ggs

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
April 27, 1995 Issue - Jeffersonian

Please forward billing to:

Daft McCune Walker Inc
200 E. Pennsylvania Avenue
Towson, MD 21286
296-3333

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-363-X (Item 358)

6701 5701 N. Charles Street
E/S N. Charles Street, opposite Malvern Avenue
9th Election District - 4th Councilmanic
Legal Owner: Greater Baltimore Medical Center, Inc.
Contract Purchaser: American PCS, L.P.
HEARING: TUESDAY, MAY 23, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

6701 CASE NUMBER: 95-363-X (Item 358)

5701 N. Charles Street

E/S N. Charles Street, opposite Malvern Avenue

9th Election District - 4th Councilmanic

Legal Owner: Greater Baltimore Medical Center, Inc.

Contract Purchaser: American PCS, L.P.

HEARING: TUESDAY, MAY 23, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Greater Baltimore Medical Center
Margaret C. Ruggieri, Esq.
G. Scott Barhight, Esq.
Daft McCune Walker Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





**American Personal
Communications**

**AMERICAN PERSONAL COMMUNICATIONS (APC)
HEARING BEFORE THE BALTIMORE COUNTY
ZONING COMMISSIONER
May 23, 1995**

TABLE OF CONTENTS

1. Lease Agreement with Greater Baltimore Medical Center, Inc.
2. Photographs of 6701 North Charles Street
3. Photographs and Specification Sheets for Antennas
4. Photograph and Specification Sheets for Equipment Cabinets
5. FCC License
6. FCC Adopts ANSI EMF Regulations
7. Radio Frequency Statement - Jules Cohen
8. FCC Statement on PCS - Creating Significant Benefits for Consumers and Business
9. FCC's Chairman, Reed Hundt, Speech Excerpts

**PETITIONER'S
EXHIBIT No 2**

MICROFILMED

Prepared by:
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 16, 1995

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No.: 358
Case No.: 95-363-A
Petitioner: Greater Baltimore
Medical Center, Inc.

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 13, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a light background.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



2655-95

5/11/95
y

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director May 8, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson JLP
Development Coordinator, DEPRM

SUBJECT: Zoning Item #358 - Greater Baltimore Medical Center
6701 N. Charles Street
Zoning Advisory Committee Meeting of April 24, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Air Quality

The site must comply with ANSI Standard C95.1-1982 at all times, including during reasonable roof access for maintenance/custodial personnel. We recommend that Caution/Warning signs be placed at all roof access doors.

JLP:SR:sp

BALTONAT/DEPRM/TXTSBP

RECEIVED
MAY 11 1995


ZADM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 25, 1995

FROM: Pat Keller, Director 
Office of Planning and Zoning

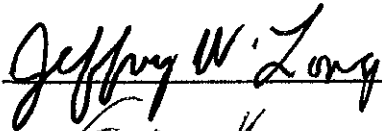
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 358

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:



Division Chief:



PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: May 5, 1995
 Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
 Developers Engineering Section

RE: Zoning Advisory Committee Meeting
 for May 1, 1995
 Items 352, 353, 354, 355, 358, 359, and 360 ^C

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

microfilm

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 24. 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 352, 354, 355, 356, 357,
358, 359 AND 360.

RECEIVED

APR 27 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4281, MS-1102F

cc: File



MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

4-21-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 358 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 13, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, ZADM

SUBJECT: Item #358
6701 North Charles Street

Advised applicant that 59+ acre description for special exception should have been reduced to area actually needed for special exception support area.

Also, applicant wished only one sign. I advised that a complaint by a party not seeing the sign along other roads where they normally travel could cause a problem.

Also, advised a special hearing is usually requested to amend prior approved hearing plans.

JLL:scj

PETITION PROBLEMS AGENDA OF APRIL 24, 1995

#355 --- JCM

1. No zoning indicated on top of petition form.

#356 --- JLL

1. Zip code is indicated on top of petition form instead of zoning.

#357 -- JLL

1. Is correct address 1208 or 215?? Petition form says "(#1208) 215
Susquehanna Avenue.

#358 --- JLL

1. No authorization indicated for attorney to sign for contract purchaser.

RE: PETITION FOR SPECIAL EXCEPTION
6701 N. Charles Street, E/S N. Charles
Street, opposite Malvern Avenue
9th Election District, 4th Councilmanic

Greater Baltimore Medical Center, Inc. /
American PCS, L.P.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 95-363-X
*
*
*
*
*
*
*
*
*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Gregory Sarro

6901 Rockledge Drive
Ste. 600 Bethesda MD 20817

Margaret Ruggieri

6901 Rockledge Drive
Suite 600, Bethesda MD 20817

Debbie Mearns

Shady Grove Rd Suite 50
Rockville Md 20850
200 EAST PENNSYLVANIA AVE
TOWSON, MD 21286

MICHAEL MAGUIRE

Andrew Werchniak

Two Skyline Place

5203 Leesburg Pike

Suite 800

Falls Church, VA 22041

KRIS SARRO -



CHARLES

STREET

B9-174-SPHX
92-36-XA

GREATER
BALTIMORE
MEDICAL CENTER

6701

RO

NOTE SEE SIG
HIT SHEPARD
PRATT CHARLES
ST. ENTRANCE

POSTAL BOX

0-2

D.R. 2

HOSPITAL

SHEPARD
PRATT
HOSPITAL

PRIVATE

PRIVATE

ROAD

PRIVATE

PRIVATE

230

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 30, 1995

Christine K. McSherry, Esquire
Whiteford, Taylor and Preston
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204-4515

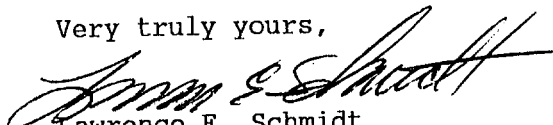
RE: Case No. 95-363-X
Petition for Special Exception
Legal Owner: Greater Baltimore Medical Center, Inc.
Lessee: American PCS, L.P., Petitioner
Location: 6701 N. Charles St.

Dear Ms. McSherry:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

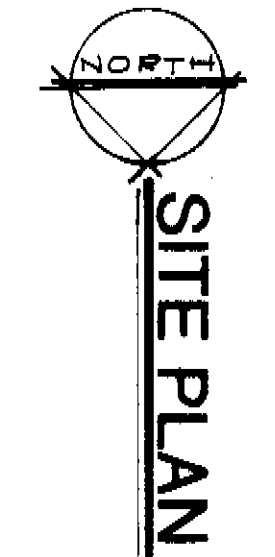
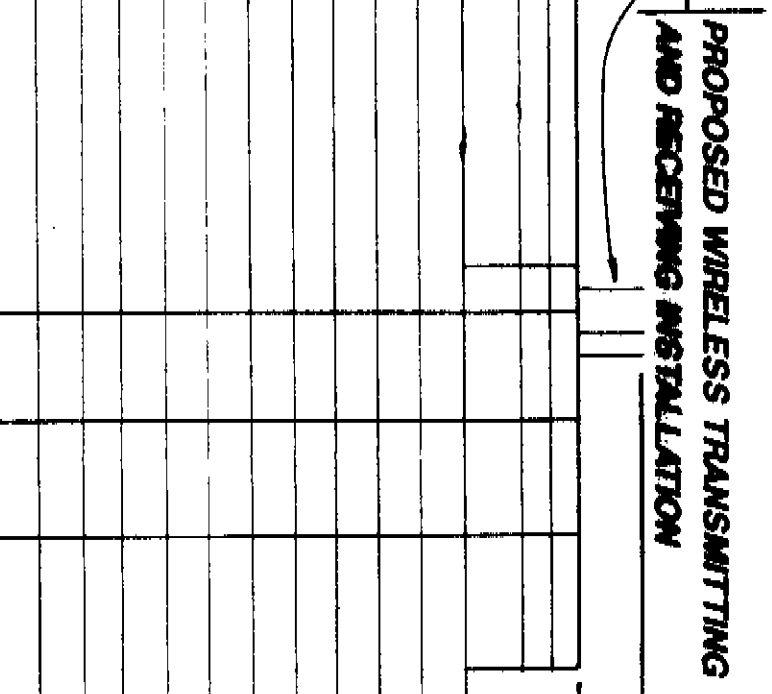
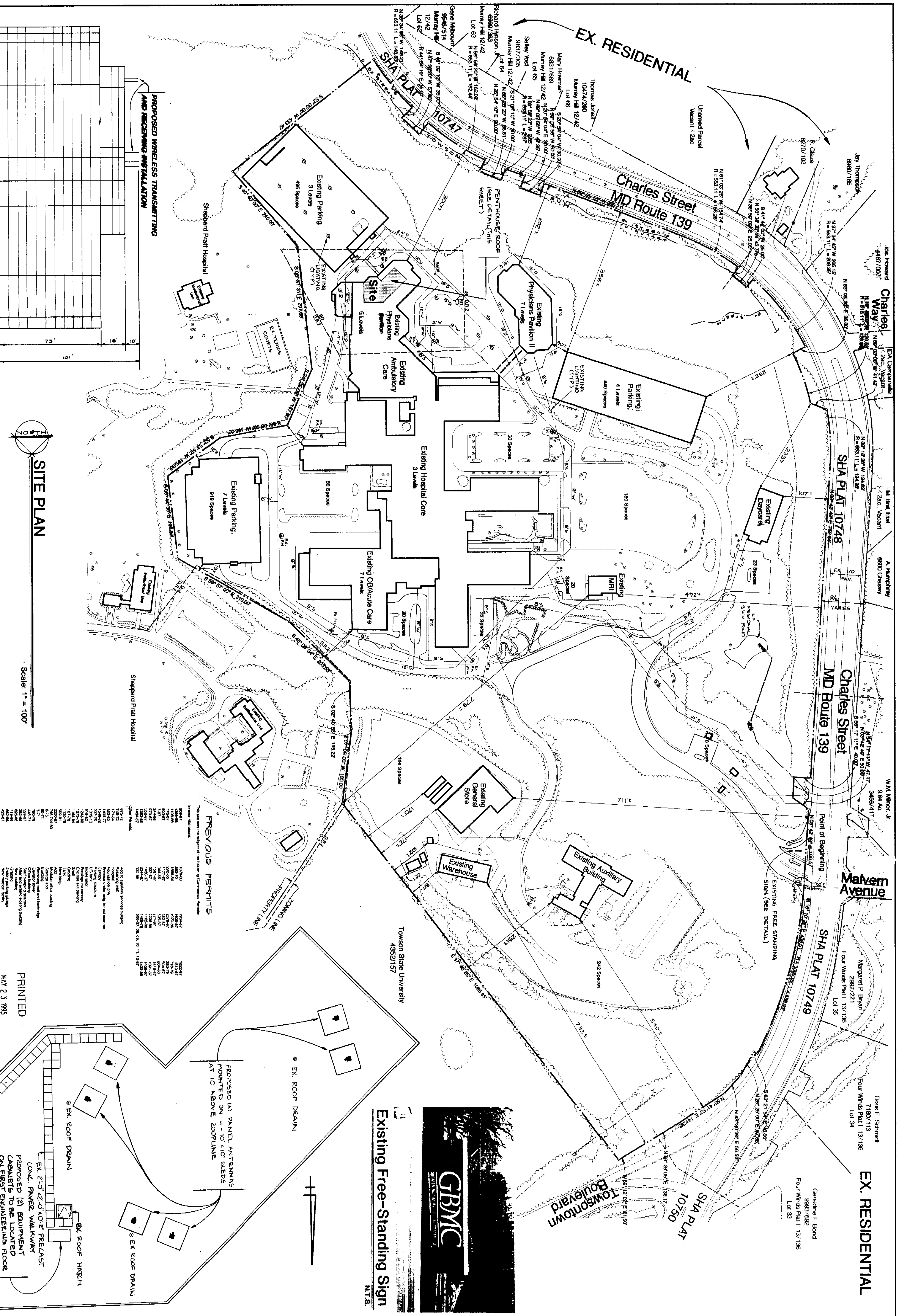

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Margaret C. Ruggieri, Esquire, Amerian Personal Communication
cc: M. Maguire, Daft, McCune and Walker

MICROFILMED

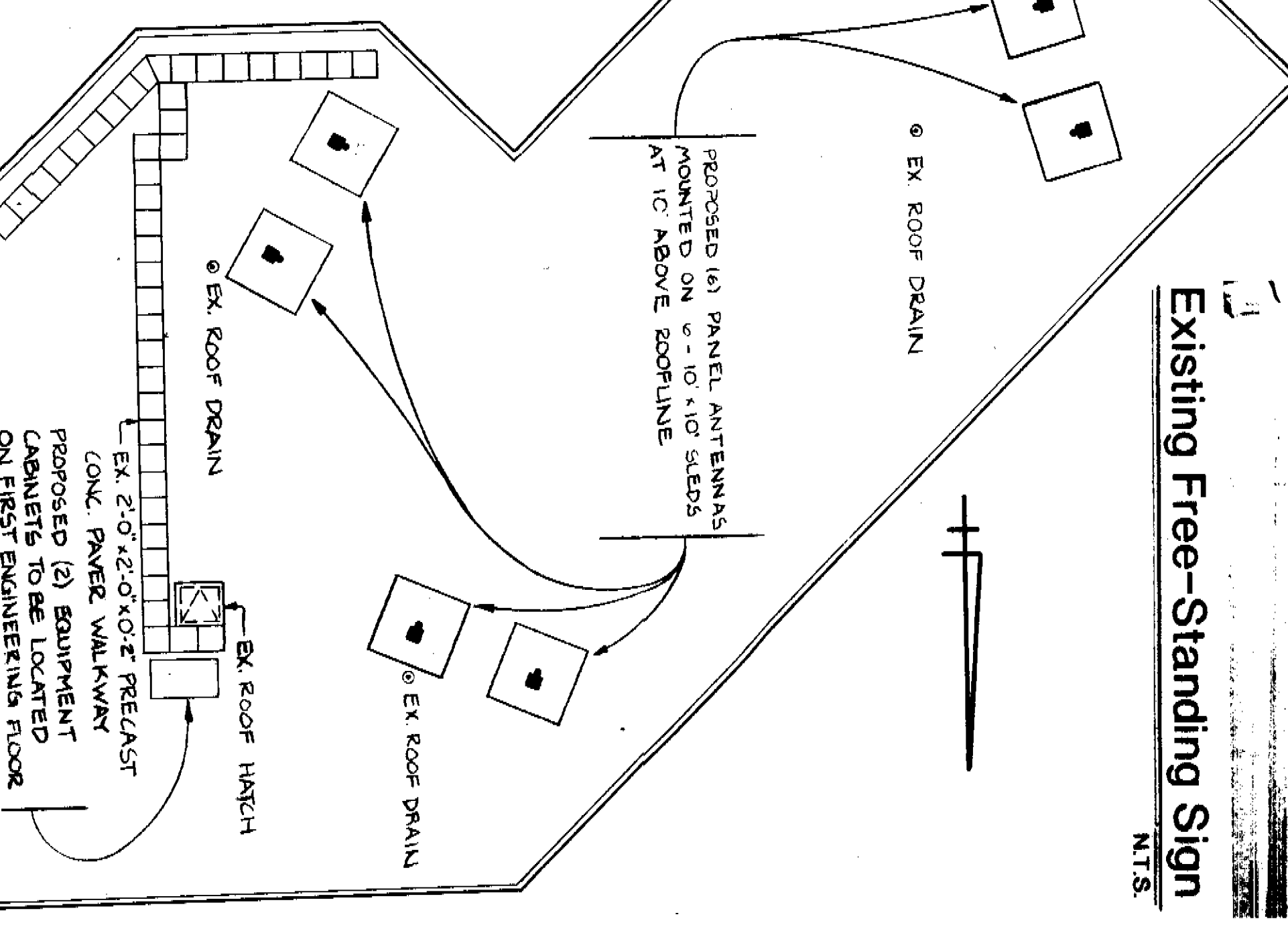




PREVIOUS PERMITS

Permit No.	Date	Description
100-42	10/24/87	Site Plan
100-43	10/24/87	Site Plan
100-44	10/24/87	Site Plan
100-45	10/24/87	Site Plan
100-46	10/24/87	Site Plan
100-47	10/24/87	Site Plan
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100-97	10/24/87	Site Plan
100-98	10/24/87	Site Plan
100-99	10/24/87	Site Plan
100-100	10/24/87	Site Plan

PRINTED
MAY 23 1995
DRAFTSMAN: WALKER, INC.



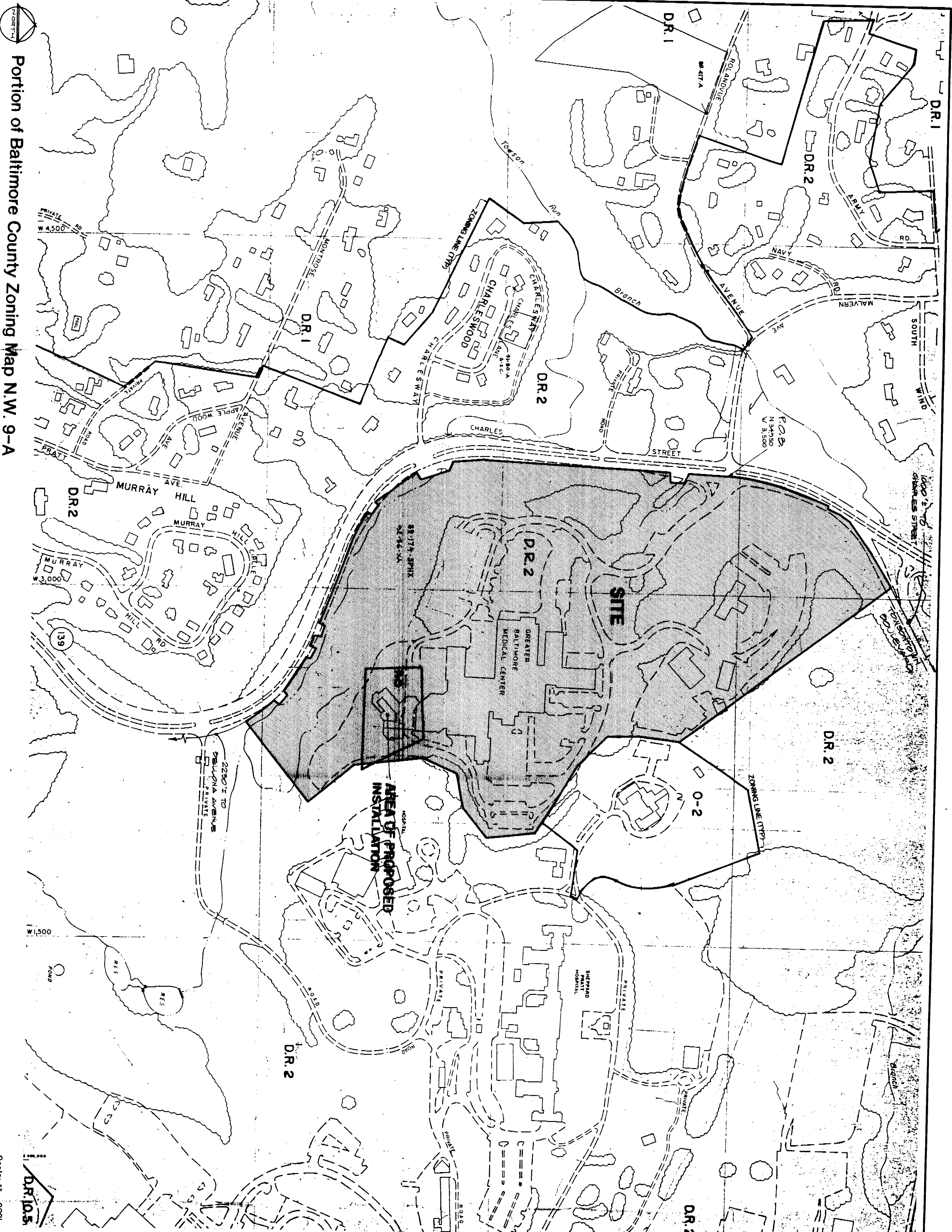
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99	Revised	5-7-95
100	Revised	5-7-95

American Personal Communications
Site Plan to Accompany Petition for Special Exception
Towson West (G.B.M.C.)
9th Election District

BAN 04
Baltimore County, Maryland

DMW
Design/Master/Work
A Division of Design/Master/Work, Inc.
1000 North Washington Avenue
Baltimore, Maryland 21201
Phone: 410-528-4400
Fax: 410-528-4401

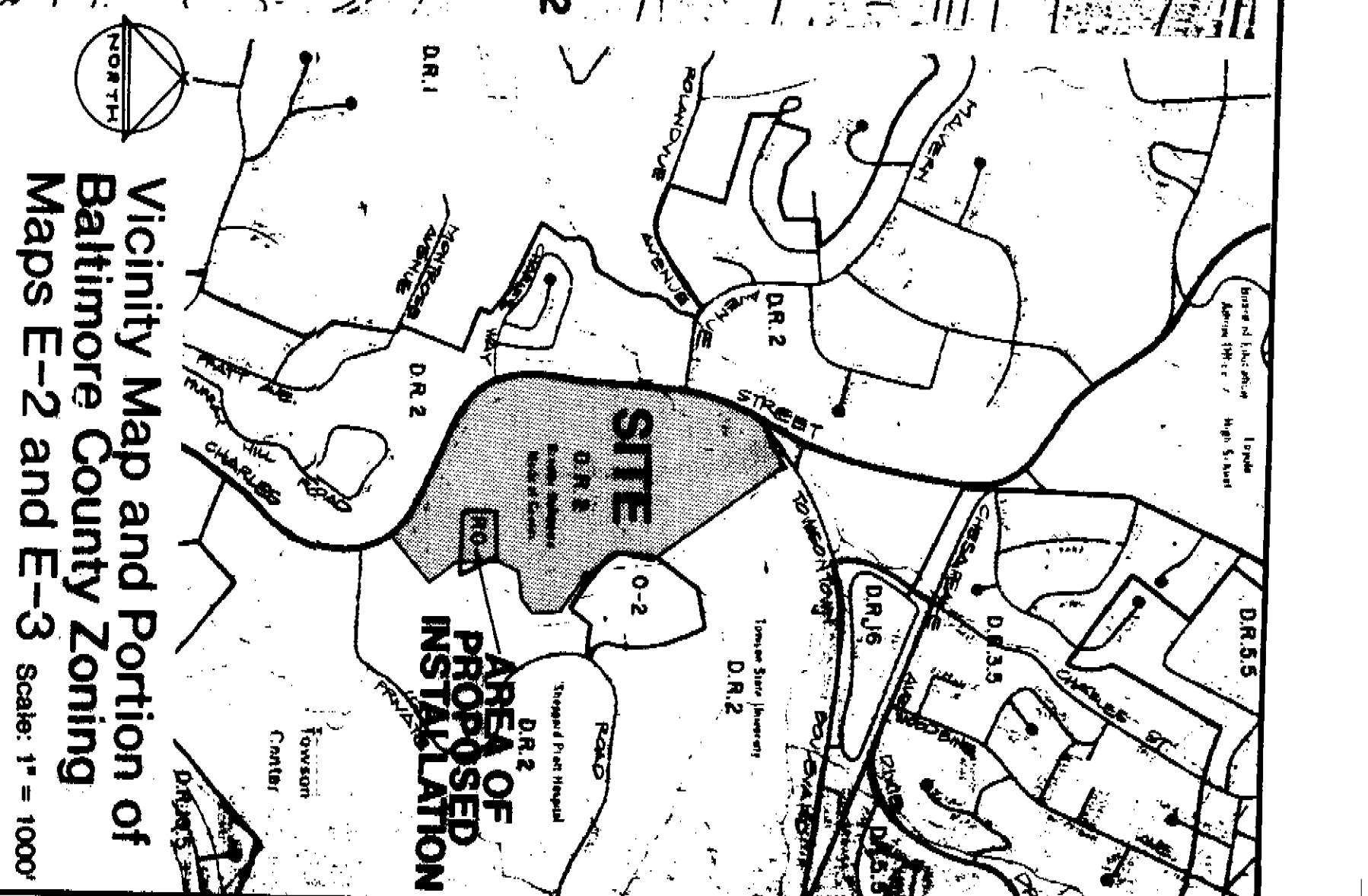
2 of 2



Portion of Baltimore County Zoning Map N.W. 9-A

PETITIONER'S
EXHIBIT No. 1

Scale: 1" = 200'



Vicinity Map and Portion of
Baltimore County Zoning
Maps E-2 and E-3 Scale: 1" = 1000'

1. Current owner and address: **Charleswood Medical Center**
11174-11175 Charleswood Drive
Baltimore, MD 21204
2. Current zoning: **DR.2**
3. Proposed zoning: **DR.2**
4. Site name: **DR.2**
5. Existing use: **Medical Center**
6. Street address: **11174-11175 Charleswood Drive**
7. The proposed use is a **Medical Center** and is a **DR.2** use.
8. The proposed use is a **Medical Center** and is a **DR.2** use.
9. The proposed use is a **Medical Center** and is a **DR.2** use.
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16. The proposed use is a **Medical Center** and is a **DR.2** use.
17. The proposed use is a **Medical Center** and is a **DR.2** use.

No.	Description	Date
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14	DR.2	5-7-75
15	DR.2	5-7-75
16	DR.2	5-7-75
17	DR.2	5-7-75

American Personal Communications
Site Plan to Accompany Petition for Special Exception
Township West (G.B.M.C.)
5th Election District

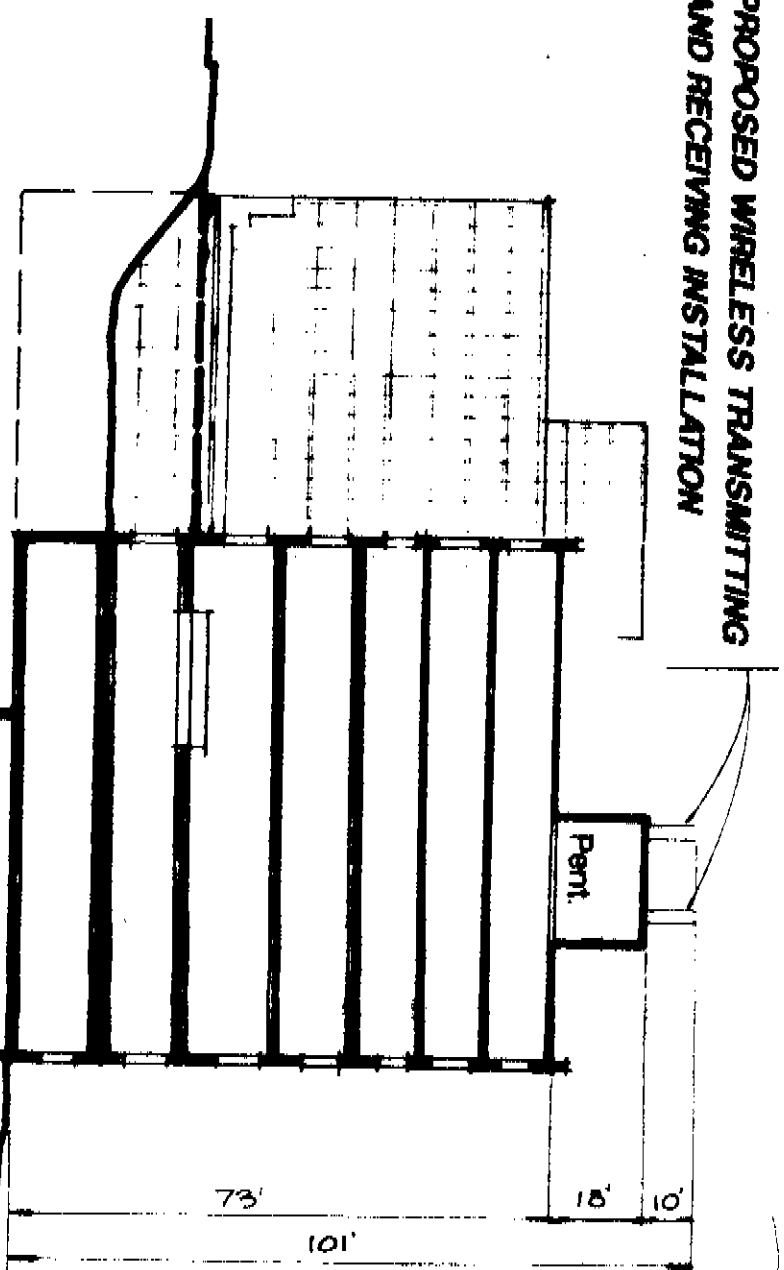
BAN 04
Baltimore County, Maryland

DWM
DWM Associates, Inc.
11174-11175 Charleswood Drive
Baltimore, MD 21204
Tel: 270-1117



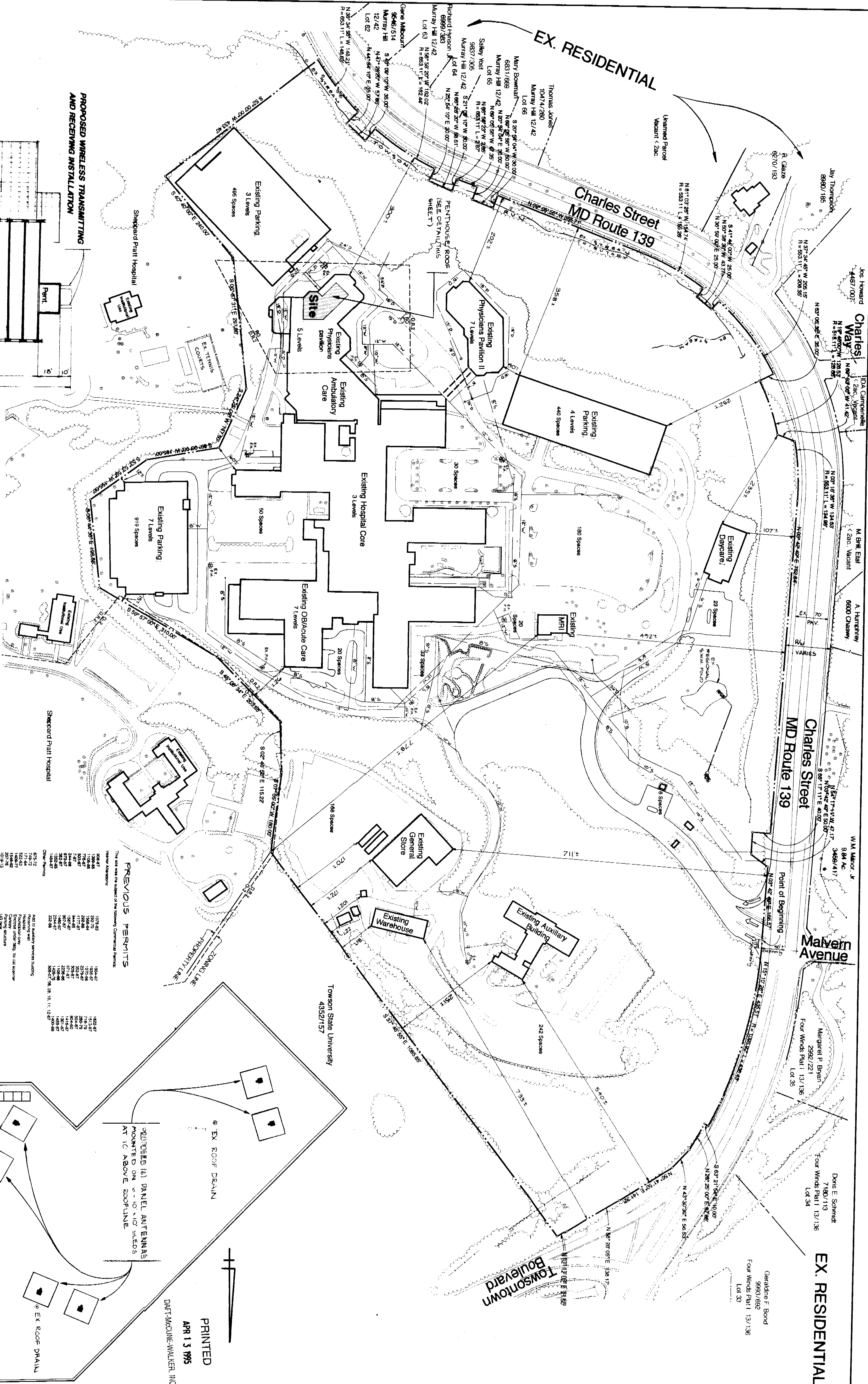
WEST ELEVATION

Not To Scale



SITE PLAN

Scale: 1" = 100'



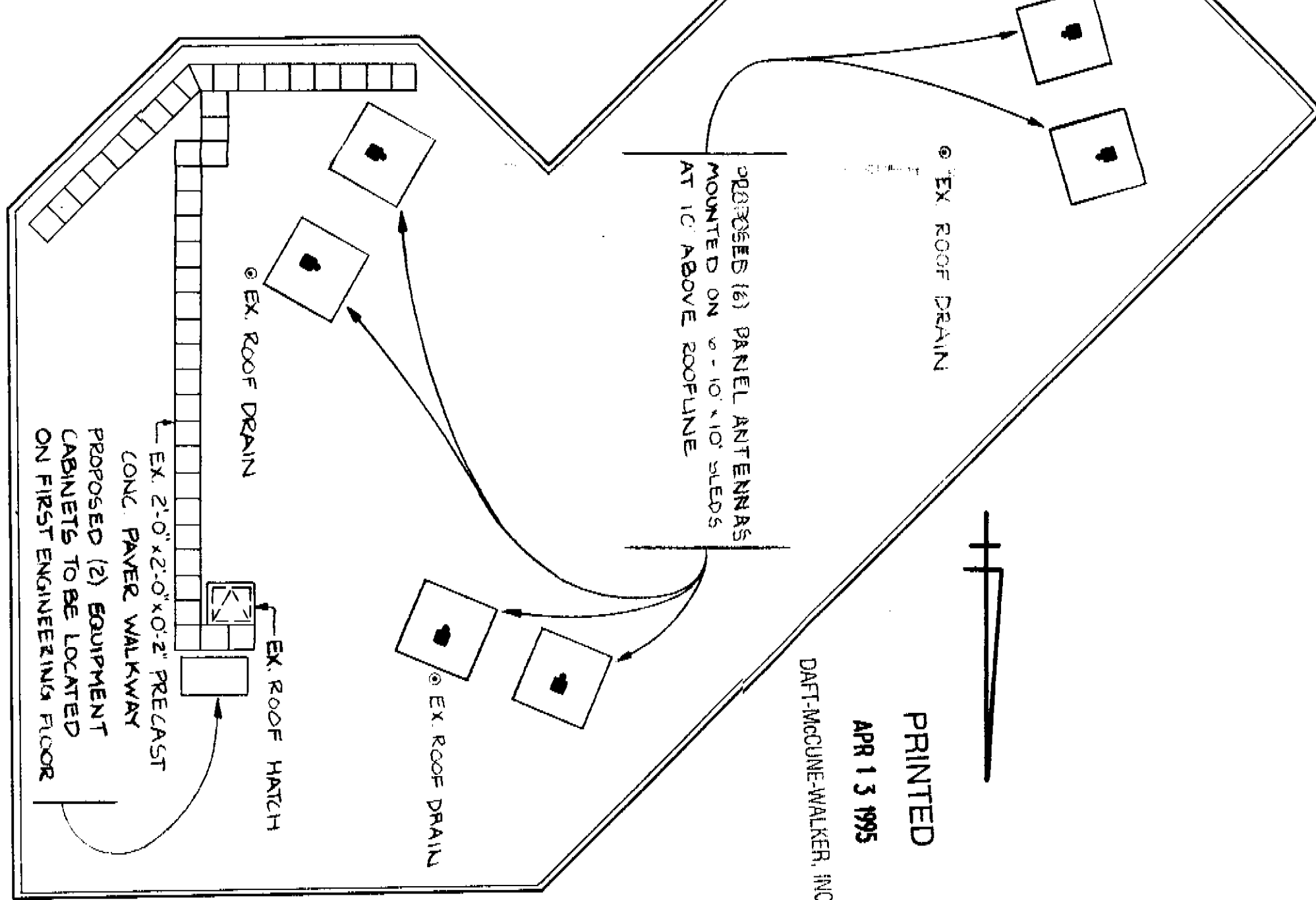
PREVIOUS PERMITS

This site has the subject of the following Permitted Permits:

Permit No.	Date	Description
100447	10/18/82	Asst. to Auxiliary Wireless Building
100448	10/18/82	Asst. to Auxiliary Wireless Building
100449	10/18/82	Asst. to Auxiliary Wireless Building
100450	10/18/82	Asst. to Auxiliary Wireless Building
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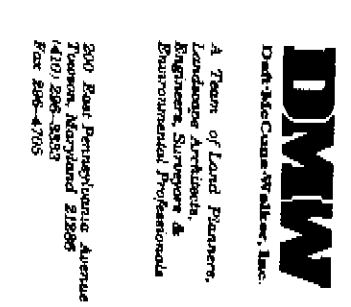
PENTHOUSE ROOF DETAIL

Scale: 1" = 10'

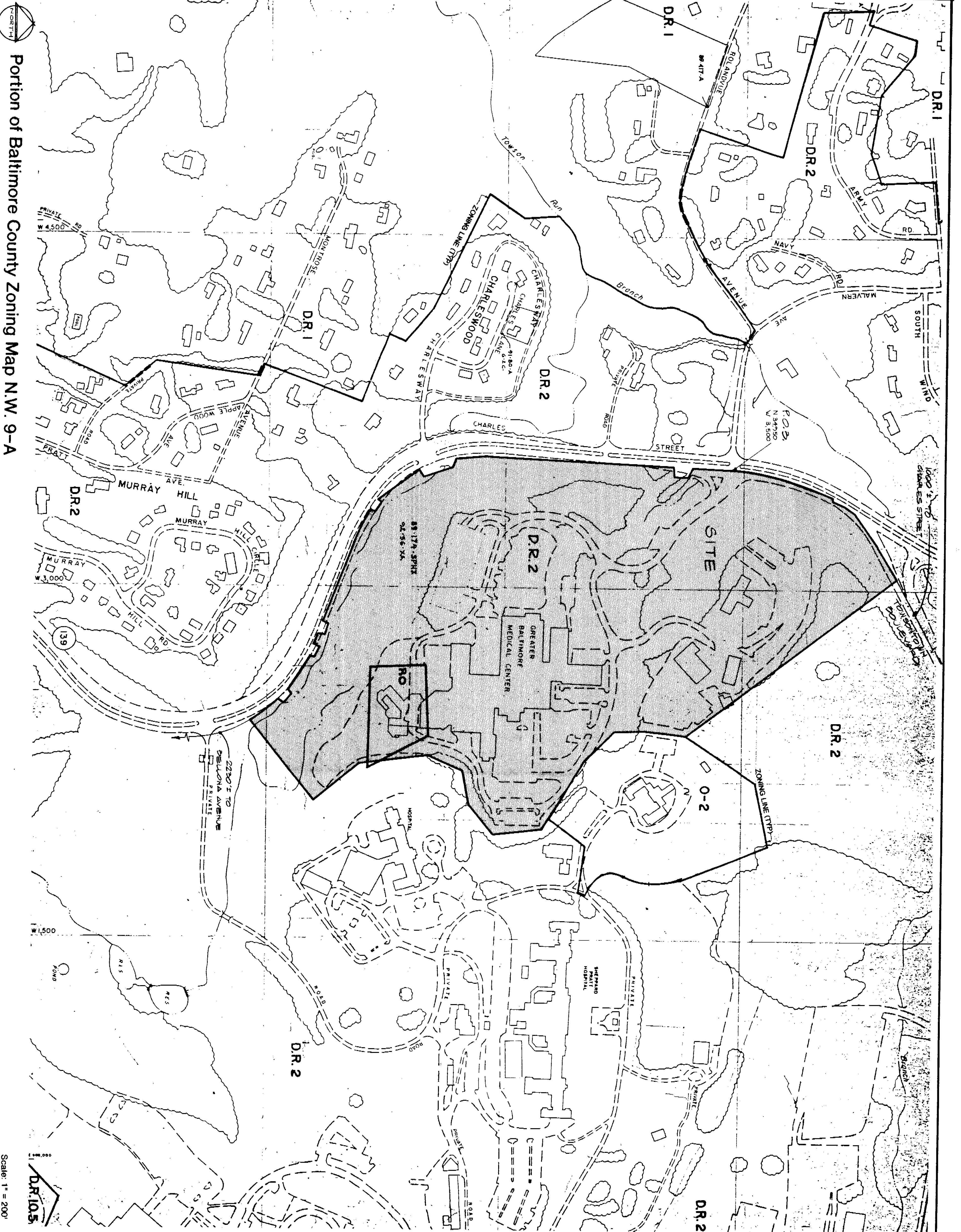


American Personal Communications
Site: Plan to Accompany Petition for Special Exception
Towson West (G.B.M.C.)
9th Election District

BAN 04
Baltimore County, Maryland



No.	Description	Date
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2	REVISIONS	
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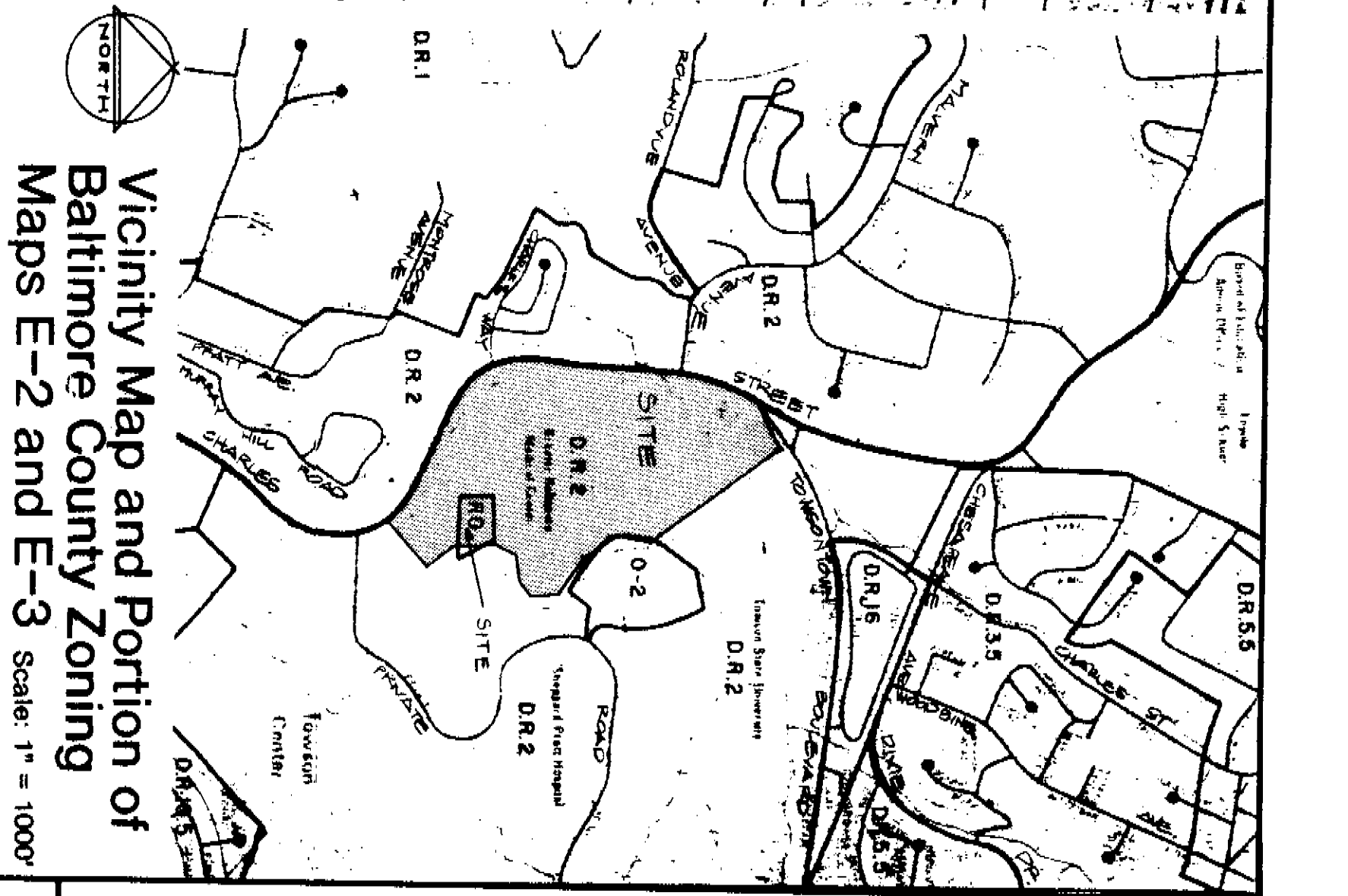


Portion of Baltimore County Zoning Map N.W. 9-A

Scale: 1" = 200'

DR.10.5

358



Vicinity Map and Portion of Baltimore County Zoning Maps E-2 and E-3 Scale: 1" = 1000'

NOTES:

1. Current owner and street address: 6221 North Charles Street, Baltimore, MD 21204
2. Current zoning: DR.2
3. Site area: 1.14 acres
4. Existing use: Single-family detached
5. Surrounding uses: Single-family detached, commercial
6. Site address: 6221 North Charles Street, Baltimore, MD 21204
7. The proposed use is a 100,000 sq. ft. medical office building with parking and associated site improvements.
8. The proposed use is consistent with the DR.2 zoning district.
9. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.
10. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.
11. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.
12. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.
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16. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.
17. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.

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12. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.

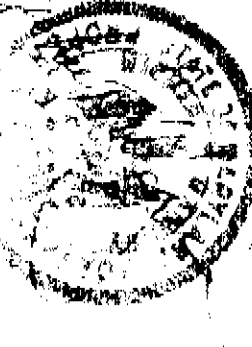
13. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.

14. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.

15. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.

16. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.

17. The proposed use is consistent with the Baltimore County Comprehensive Zoning Ordinance.



No.	Description	Date
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99	Revised	10/1/85
100	Revised	10/1/85

Site Plan to Accompany Petition for Special Exception
Towson West (G.B.M.C.)
 9th Election District

BAN 04
 Baltimore County, Maryland

American Personal Communications

DMW
 1700 E. Baltimore Avenue
 Towson, Maryland 21206
 Phone: 284-4900

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
E/S North Charles St., opposite * ZONING COMMISSIONER
Malvern Avenue
6701 N. Charles St. * OF BALTIMORE COUNTY
9th Election District
4th Councilmanic District
Greater Baltimore Medical Center, * Case No. 95-363-X
Inc./American PCS, L.P.
Petitioner * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 6701 N. Charles Street, near Towson. The property is the site of the Greater Baltimore Medical Center. Special exception relief is requested for approval of a wireless transmitting and receiving facility. Specifically, the Petitioner seeks approval to construct six antenna on the roof of the Physicians Pavilion East building. Although the hospital campus is predominantly zoned D.R.2, the subject building is on land zoned R.O. The Petition is filed by the Greater Baltimore Medical Center, Inc., the corporate property owner, and Margaret C. Ruggieri, Esquire on behalf of American PCS, L.P., (hereinafter known as "APC") Lessee. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Margaret C. Ruggieri, Esquire on behalf of APC. Also present on behalf of that corporation was Gregory Sarro and Debbie Meaney. Also present were consultants retained by APC for this project, namely, Michael Maguire from Daft, McCune and Walker, and Andrew Werchniak. The Petitioner was represented by Christine K. McSherry, Esquire. There were no Protestants or other interested persons present.

This is another in a series of cases which have recently come before this Zoning Commissioner filed by APC. APC is a new entrant in Baltimore

County in the fast growing industry of wireless and cellular communication. The company specializes in transmitting not just cellular telephone communication but also wireless fax and information communication. This Commissioner has considered similar Petitions filed by the company for various sites in Baltimore County and is familiar with this business.

As is the case with all cellular providers, the company proposes constructing an interconnected grid of antennas to establish a cellular communication network. These antennas will be strategically placed to cover an established geographic area. A mobile user of the network will then be handed off from one cell grid to another to ensure continuous communication capability.

To cover the general Towson area, the Petitioner proposes placing an antenna on the subject site. As has been the case in similar Petitions, the company wishes to utilize existing structures. This reduces the need for monopoles and new structures to support the antenna.

In the instant case, the Petitioner proposes placing six antennas on the roof of the Physicians' Pavilion East Building on the GBMC campus. The antennas will be placed on the rooftop so as to provide a 360 degree radius of communication capability. Photographs of the site shows that this is one of the higher buildings in the vicinity. The general geographic area is characterized by a dense population and its topography consists of rolling hills and valleys. The Petitioner also submitted an environmental impact study (Petitioner's Exhibit No. 3) and a packet of material (Petitioner's Exhibit No. 2), which describes the characteristics and anticipated impact of the antennas. These reports conclude that there will be no adverse impact on the surrounding locale by the placement of the antennas as proposed.

- 2 -

The Zoning Plans Advisory Committee (ZAC) comments are all neutral on this subject. One comment from the Department of Environmental Protection and Resource Management (DEPRM) opines that the Petitioner must comply with FCC requirements as to the antennas and their use. The Petitioner advised that, indeed, these facilities comply with all FCC standards as to safety and will not detrimentally affect other frequencies or communications.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Special Exception. It is clear that the Petitioner has satisfied the standards set forth in Sections 502.1 and 502.7 of the BCZR, as well as the particular requirements governing wireless transmitting facilities contained in Section 426 of the BCZR. Thus, the Petition for Special Exception shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31st day of May, 1995 that, pursuant to the Petition for Special Exception, approval to allow a wireless transmitting and receiving facility in an R.O. & D.R.2 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

- 3 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 30, 1995

Christine K. McSherry, Esquire
Whiteford, Taylor and Preston
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204-4515

RE: Case No. 95-363-X
Petition for Special Exception
Legal Owner: Greater Baltimore Medical Center, Inc.
Lessee: American PCS, L.P., Petitioner
Location: 6701 N. Charles St.

Dear Ms. McSherry:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

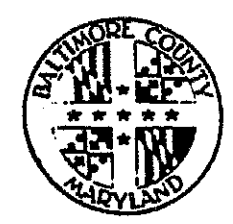
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm

att:

cc: Margaret C. Ruggieri, Esquire, Amerian Personal Communication
cc: M. Maguire, Daft, McCune and Walker

Printed with Soybean Ink
on Recycled Paper



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 6701 North Charles Street, Baltimore, MD 21204
which is presently zoned R.O.2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

A wireless transmitting and receiving facility.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Payment/Source:

Margaret C. Ruggieri, Esq.
One Democracy Center
6901 Rockledge Drive
Baltimore, MD 21204

Bethesda, MD 20817

Agency for Petitioner:

G. Scott Barhight, Esq.
Whiteford, Taylor & Preston
210 W. Pennsylvania Ave.
Towson, MD 21204

Whiteford, Taylor & Preston
210 W. Pennsylvania Ave.
Towson, MD 21204

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Greater Baltimore Medical Center, Inc.
By: Philip O'Marra, Vice President
of Operations

Signature
(Type or Print Name)

6701 N. Charles Street (410) 828-2171
Baltimore, MD 21204

G. Scott Barhight, Esq.
210 W. Pennsylvania Ave.
Towson, MD 21204

ESTIMATED LENGTH OF HEARING

ALL OTHER DATE
REVIEWED BY DATE

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION 75.93 ACRE PARCEL GREATER BALTIMORE MEDICAL CENTER PROPERTY EAST OF CHARLES STREET 9TH ELECTION DISTRICT BALTIMORE COUNTY, MD.

DMW

Daft McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 1511
Fax 296 4795

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Beginning for the same on the east side of Charles Street at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Charles Street with the centerline of Malvern Avenue (1) easterly 50' more or less, thence (2) southerly 12' more or less to the point of beginning, said point of beginning having a coordinate value of North 34,950 feet, more or less, and West 3,500 feet, more or less, said values being referred to the coordinate system established in the Baltimore County Metropolitan District, thence leaving said point of beginning and running the 7 following courses and distances, viz: (1) northeasterly, by a curve to the right with a radius of 1095.92 feet, the arc distance of 438.43', (2) S 63° 21' 54" E 10', (3) N 28° 25' 00" E 67.88', (4) N 43° 30' 30" E 56.53', (5) N 56° 41' 50" E 141.32', (6) N 58° 28' 05" E 138.17', (7) N 62° 12' 02" E 21.50', thence leaving said east side of Charles Street and running the twelve following courses and distances, (8) S 37° 46' 55" E 1085.85', (9) S 07° 05' 00" W 180.00', (10) S 02° 40' 53" E 115.22', (11) S 45° 06' 34" E 203.55', (12) S 59° 57' 00" E 310.00', (13) S 06° 44' 36" E 198.66', (14) S 53° 53' 59" W 155.00', (15) S 80° 00' 00" W 165.00', (16) S 24° 25' 09" W 147.50', (17) S 06° 37' 31" E 297.00', (18) S 40° 40' 00" E 240.00', (19) S 52° 00' 00" W 433.40' to intersect the east side of Charles Street, thence running and binding on said east side the following twenty-eight courses and distances, (20) northwesterly, by a curve to the left with a radius of 653.11', the arc distance of 148.53', (21) N 44° 54' 10" E 35.00', (22) N 47° 28' 20" W 57.03', (23) S 40° 09' 10" W 35.00', (24) northwesterly, by a curve to the left with a radius of 653.11', the arc distance of 162.44', (25) N 25° 54' 10" E 30.00', (26) N 66° 28' 20" W 56.61', (27) S 21° 09' 10" W 30.00', (28) northwesterly, by a curve to the left with the radius of 653.11, the arc distance of 2.87', (29) N 69° 05' 56" W 47.35', (30) N 20° 54' 04" E 30.00', (31) N 69° 05' 56" W 355.71', (32) northwesterly, by a curve to the right with the radius of 553.11', the arc distance of 155.26', (33) N 36° 59' 00" E 25.00', (34) N 50° 38' 30" W 43.77', (35) S 41° 44' 00" W 25.00', (36) northwesterly, by a curve to the right with the radius of 553.11', the arc distance of 206.35', (37) N 63° 06' 30" E 35.00', (38) northwesterly, by a curve to the right with

the radius of 518.11', the arc distance of 128.86', (41) N 69° 03' 00" W 41.42', (42) northwesterly, by a curve to the right with the radius of 553.11', the arc distance of 134.96', (43) N 03° 42' 49" E 752.84', (44) S 86° 17' 11" E 40.00', (45) N 03° 42' 49" E 50.00', (46) N 54° 17' 11" W 47.17', (47) N 03° 42' 49" E 166.57' to the place of beginning; containing 57.93 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 13, 1995

Project No.: 94161.28



CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/28, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/27, 1995.

THE JEFFERSONIAN,

A. Henrichsen
LEGAL AD. - TOWSON

receipt
75-363-X
Account: R 001-6150
Number 358
By JLC
Date 4/13/95
SPX FILING (050) 300.00
SIGN POSTING (080) 35.00
(1 AF APR RST)
Total \$335.00
APP GPMC, INC.
6701 N. CHARLES ST.
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES
Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.
PAYMENT WILL BE MADE AS FOLLOWS:
1) Posting fees will be assessed and paid to this office at the time of filing.
2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.
Arnold Jablon, Director
For newspaper advertising:
Item No.: 358
Petitioner: GREATER BALTIMORE MEDICAL CENTER, INC.
Location: 6701 N. CHARLES ST. BALTIMORE, MD 21204
PLEASE FORWARD ADVERTISING BILL TO:
NAME: DAFT McCUNE WALKER INC.
ADDRESS: 200 E. PENNSYLVANIA AVE
TOWSON, MD 21286
PHONE NUMBER: 296-3333
AJ:ggg (Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY
April 27, 1995 Issue - Jeffersonian
Please forward billing to:
Daft McCune Walker Inc.
200 E. Pennsylvania Avenue
Towson, MD 21286
296-3333
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
CASE NUMBER: 95-363-X (Item 358)
5701 N. Charles Street
6/8 N. Charles Street, opposite Walverna Avenue
9th Election District - 4th Councilmanic
Legal Owner: Greater Baltimore Medical Center, Inc.
Contract Purchaser: American PCS, L.P.
HEARING: TUESDAY, MAY 23, 1995 at 10:00 a.m. in Room 118, Old Courthouse.
Special Exception for a wireless transmitting and receiving facility.
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
April 21, 1995
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
CASE NUMBER: 95-363-X (Item 358)
5701 N. Charles Street
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HEARING: TUESDAY, MAY 23, 1995 at 10:00 a.m. in Room 118, Old Courthouse.
Special Exception for a wireless transmitting and receiving facility.
Arnold Jablon
Director
cc: Greater Baltimore Medical Center
Margaret C. Ruppieri, Esq.
6. Scott Barhight, Esq.
Daft McCune Walker Inc.
NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
May 16, 1995
G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204
RE: Item No.: 358
Case No.: 95-363-A
Petitioner: Greater Baltimore Medical Center, Inc.
Dear Mr. Barhight:
The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 13, 1995.
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).
W. Carl Richards, Jr.
Zoning Supervisor
WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE
TO: Mr. Arnold Jablon, Director
Zoning Administration and Development Management
May 8, 1995
FROM: J. Lawrence Pilson
Development Coordinator, DEPRM
SUBJECT: Zoning Item #358 - Greater Baltimore Medical Center
6701 N. Charles Street
Zoning Advisory Committee Meeting of April 24, 1995
The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.
Air Quality
The site must comply with ANSI Standard C95.1-1982 at all times, including during reasonable roof access for maintenance/custodial personnel. We recommend that Caution/Warning signs be placed at all roof access doors.
JLP:SR:sp
BALTONAT/DEPRM/TXTSBB
RECEIVED
MAY 11 1995
ZADM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: April 25, 1995
FROM: Pat Keller, Director
Office of Planning and Zoning
SUBJECT: Petitions from Zoning Advisory Committee
The Office of Planning and Zoning has no comments on the following petition(s):
Item No. 358
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.
Prepared by: Jeffrey W. Long
Division Chief: Campbell
PK/JL
ITEM358/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: May 5, 1995
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section
RE: Zoning Advisory Committee Meeting
for May 1, 1995
Items 352, 353, 354, 355, 358, 359, and 360
The Developers Engineering Section has reviewed the subject zoning item and we have no comments.
RWB:aw

DATE: 04/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 24, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time.
(IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 352, 354, 355, 356, 357, 358, 359 AND 360.

RECEIVED
APR 27 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERHARD
Fire Marshal Office, PHONE 687-4801, MS-1106F

cc: File

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 358 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 13, 1995
TO: Hearing Officer
FROM: John L. Lewis
Planner II, ZADM
SUBJECT: Item #358
6701 North Charles Street

Advised applicant that 59+ acre description for special exception should have been reduced to area actually needed for special exception support area.

Also, applicant wished only one sign. I advised that a complaint by a party not seeing the sign along other roads where they normally travel could cause a problem.

Also, advised a special hearing is usually requested to amend prior approved hearing plans.

JLL:scj

PETITION PROBLEMS
AGENDA OF APRIL 24, 1995

#355 --- JCM

1. No zoning indicated on top of petition form.

#356 --- JLL

1. Zip code is indicated on top of petition form instead of zoning.

#357 --- JLL

1. Is correct address 1208 or 215?? Petition form says "(#1208) 215
Susquehanna Avenue.

#358 --- JLL

1. No authorization indicated for attorney to sign for contract purchaser.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
6701 N. Charles Street, E/S N. Charles * ZONING COMMISSIONER
Street, opposite Malvern Avenue *
9th Election District, 4th Councilmanic * OF BALTIMORE COUNTY
Greater Baltimore Medical Center, Inc. / * CASE NO. 95-363-X
American PCS, L.P. *
Petitioners *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Gregory Sarno	4901 Rockledge Drive St. Louis Bethesda MD 20817
Margaret Ruggieri	6901 Rockledge Drive Suite 100, Bethesda MD 20817
Donna Mearns	5001 Greenbelt Suite 50 Rockville MD 20850
MICHAEL MAQUIRE	200 EAST PENNSYLVANIA AVE TOWSON, MD 21286
Andrew Werchniak	Two Skyline Place 5203 Leesburg Pike Suite 800 Falls Church, VA 22041
KRIS SARRO -	

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on Recycled Paper



AMERICAN PERSONAL COMMUNICATIONS (APC)
HEARING BEFORE THE BALTIMORE COUNTY
ZONING COMMISSIONER
May 23, 1995

TABLE OF CONTENTS

1. Lease Agreement with Greater Baltimc
2. Photographs of 6701 North Charles Street.
3. Photographs and Specification Sheets for Antennas
4. Photograph and Specification Sheets for Equipment Cabinets
5. FCC License
6. FCC Adopts ANSI EMF Regulations
7. Radio Frequency Statement - Jules Cohen
8. FCC Statement on PCS - Creating Significant Benefits for Consumers and Business
9. FCC's Chairman, Reed Hundt, Speech Excerpts

PETITIONER'S
EXHIBIT No 2

200 East Joppa Road, Baltimore, MD 21286-5500 Tel: (410) 887-4500 Fax: (410) 887-4501
200 East Joppa Road, Suite 901, Towson, MD 21286 Tel: (410) 254-4000 Fax: (410) 254-4001
1-800-TALK-APC

Environmental Impact
Statement

Towson West (G.B.M.C.)

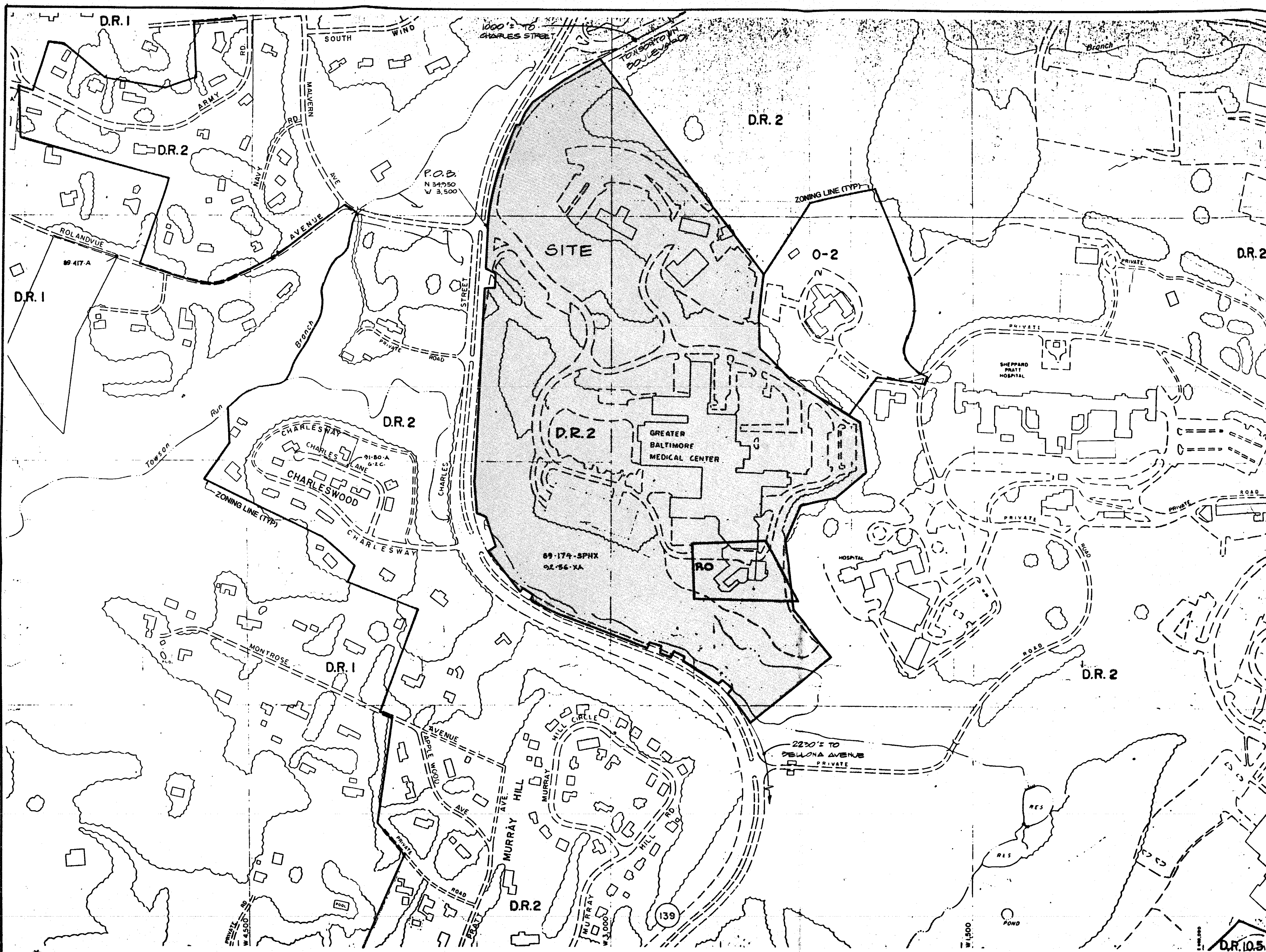
May 1995
Project No. 94161-28

Prepared for:
American PCS, L.P.
One Democracy Center
Suite 600
6901 Rockledge Drive
Bethesda, MD 20817

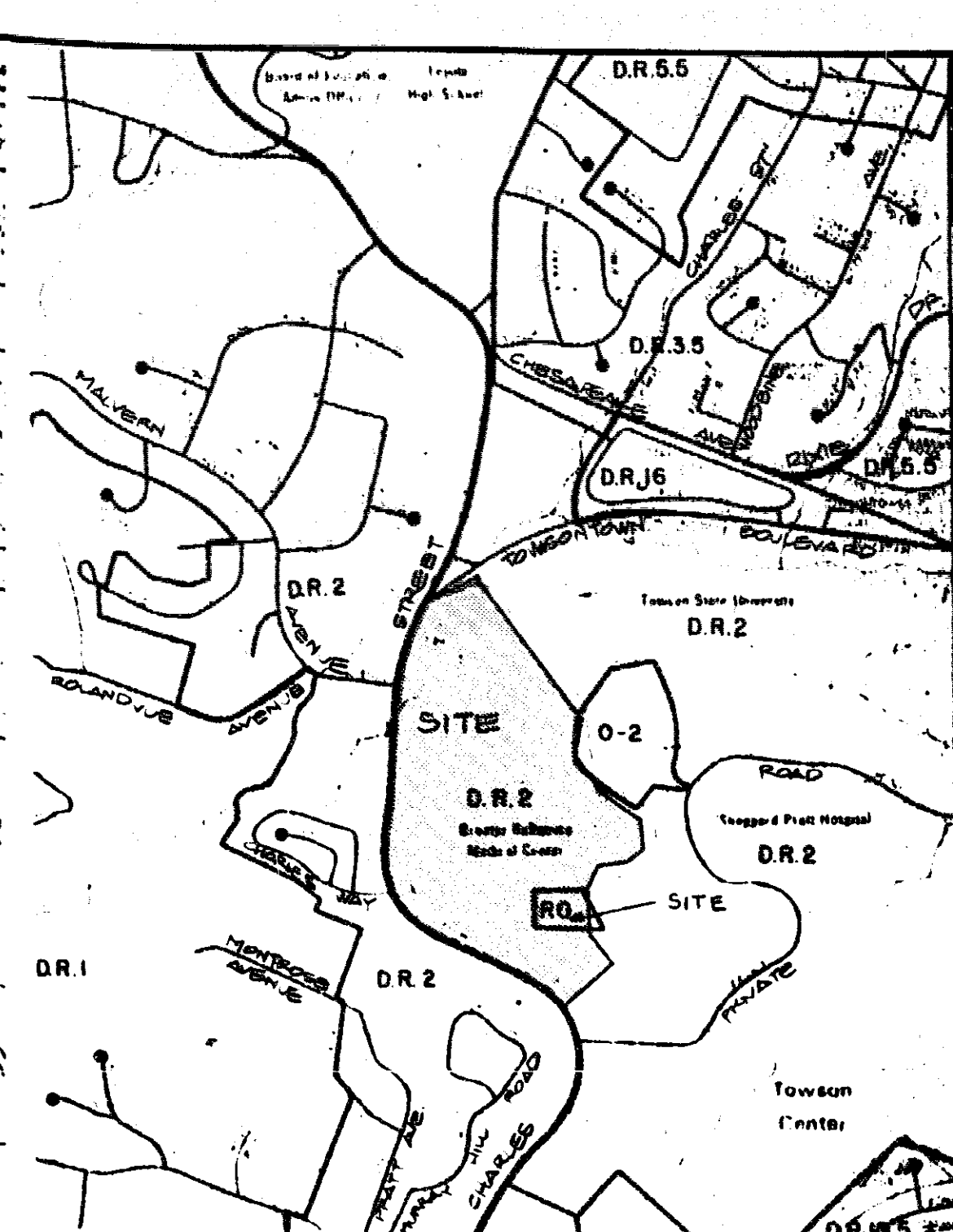


DMW
Duff-McCormac-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286

PETITIONER'S
EXHIBIT No 3



Portion of Baltimore County Zoning Map N.W. 9-A



Vicinity Map and Portion of Baltimore County Zoning Maps E-2 and E-3 Scale: 1" = 1000'

- NOTES:
1. Current owner and street address: Greater Baltimore Medical Center, 8701 North Charles Street, Baltimore, MD 21204.
 2. Contract to lease: American PCS, L.P., One Democracy Center, 8601 Rockledge Drive, Suite 600, Bethesda, MD 20817.
 3. Site area: 57.33 Ac.
 4. Existing use: Hospital, doctor offices and related office building.
 5. Street Address: 8701 North Charles Street, Baltimore, MD 21204.
 6. Site data: Tax map 59, Section 18 and 24, parcels 752 and 1179. Zoning: O-2, 2.5 x 58.82 Ac. ±, R.C. ± 2.10 Ac. ±. Intermittent use is located in the R.O. Zone. Election District: 3. Councilman's District: 4.
 7. The proposed use requires wireless transmitting and receiving facility and consists of 60' x 33' high x 6' wide x 2' deep parabolic antennas, (2) 24' communications line dishes, and (2) 4' x 5' high x 11' wide x 1' deep equipment cabinets.
 8. No water or sanitary facilities are required for the facility.
 9. The information and boundary shown herein have been compiled from sources believed to be reliable, however their accuracy is not guaranteed and is subject to revision.
 10. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
 11. No additional site or antenna rights are proposed.
 12. Zoning history: 66-180A Petition for Variance to permit a directional sign of 48 square feet instead of the required 25 square feet sign. Granted January 5, 1988. 66-45 SPMA Special Hearing for a medical use facility as an accessory use and structure to the principal use of a hospital and services to permit a maximum width of building extensions of 60' feet and 325' feet instead of the allowed 300' feet, a rear yard setback of 10' feet instead of the required 40' feet, a side yard setback of 5' feet instead of the required 25' feet, a front yard setback of 30' feet instead of the required 40' feet and/or 75' feet. Granted August 1, 1988. 67-488 SPMA Special Hearing to approve an amendment to the Order in Case No. 66-45 SPMA to permit the relocation from the main hospital building to the existing pharmacy and optical facility to the medical use facility. Granted June 23, 1987, with reservations. a. The pharmacy and optical facilities shall be adjacent and accessory to the hospital and together shall occupy no more than 2,000 square feet on the first floor of the medical use facility. b. No outside off-campus advertising of the pharmacy and optical facility shall be permitted. 66-174 SPMA Special Exception for a Class B group one care center. Granted December 18, 1988. 92-36-1A Special Exception to permit a maximum building extension width of 600' feet for a proposed building attached to an existing garage in lieu of the maximum width of 300' feet as provided in Section 1801.2B. Variances to permit a building extension between a proposed parking garage and the existing hospital core of 60' feet in lieu of the required 100' feet as set forth in Section 1801.2 and CAMD 18.2 pursuant to Section 300.2, and to permit rear yard of 10' and 20' feet in lieu of the required 40' feet as set forth in CAMD 18.2 pursuant to Section 304.2. 13. There are no signs proposed for the facility. 14. Setbacks:

	Required	Proposed
Front	10'	10'
Side (each)	5'	5'
Side (each)	5'	5'
Rear	30'	30'

15. Amenity open space: N/A. 16. Parking: Existing Spaces: 2803 Proposed Spaces: 0. The proposed wireless transmitting and receiving facilities do not block or affect any existing existing spaces. 17. An Environmental Impact Statement will be provided at the hearing.
- Requested Zoning Action: Special Exception pursuant to § 502.53.1, and 1801.1C.2B, B.C.Z.A. for a wireless transmitting and receiving facility. * Pursuant to § 502.7.D.1 this site is exempt from outcrops 502.7.C.1.2, 5.4 and 5 of the B.C.Z.A.

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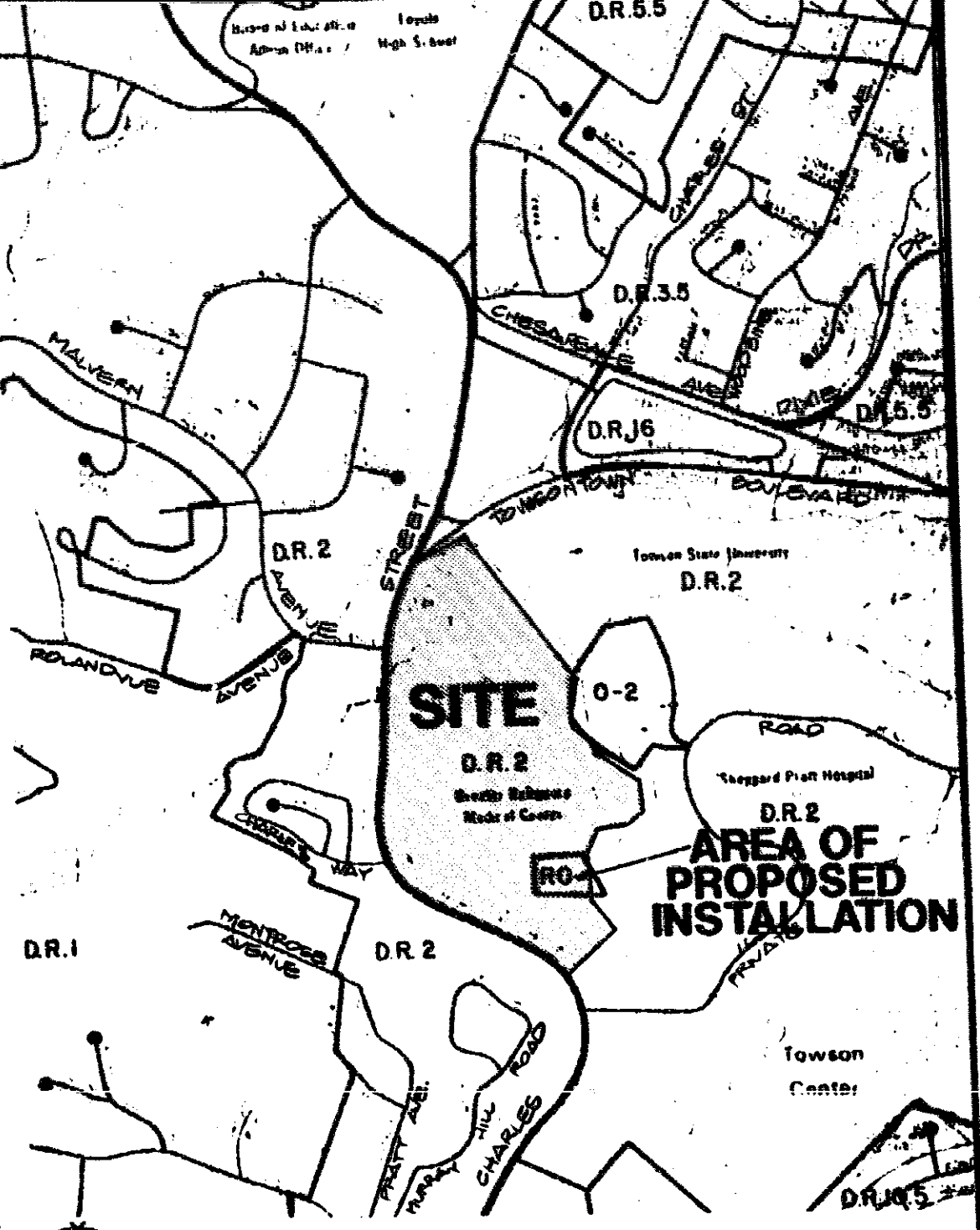
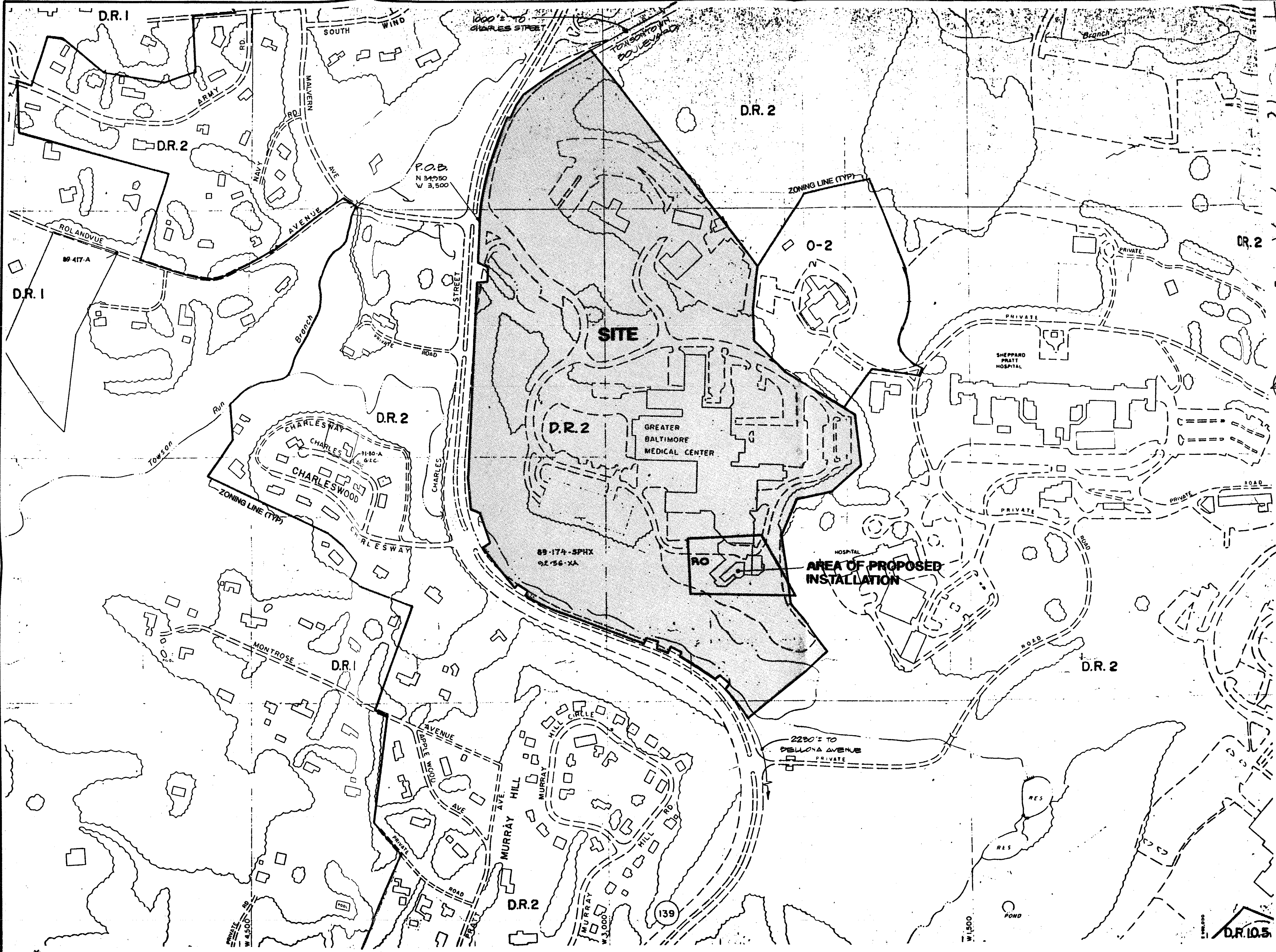
DMW
Daft McCune Walker, Inc.
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals
200 E. Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 306-4702

BAN 04
Baltimore County, Maryland

American Personal Communications
Site Plan to Accompany Petition for Special Exception
Towson West (G.B.M.C.)
9th Election District

No.	Description	Date
REVISIONS		
Proj. No.	94161.26	
Date	13 April 1995	
Scale	As Shown	
Last Rev.		





Vicinity Map and Portion of Baltimore County Zoning Maps E-2 and E-3 Scale: 1" = 1000'

- NOTES:
1. Current owner and street address: Greater Baltimore Medical Center, 6701 North Charles Street, Baltimore, MD 21204
 2. Contract issues: American PCS, L.P., One Democracy Center, 6601 Roperwood Drive, Suite 600, Bethesda, MD 20817
 3. Site area: 57.93 AC ±
 4. Existing use: Hospital, doctor offices and related, off Street Parking
 5. Street Address: 6701 North Charles Street, Baltimore, MD 21204
 6. Site data: Tax map 68, Section 18 and 24, parcels 753 and 1179. Deed references: 4142/443 and 7074/124. Tax Account Nos. 06-0007344849 and 06-0000008997. Zoning: D.R. 2 ± 55.83 AC ±, R-2 ± 2.10 AC ± (surveys to be located in the R.O. Zone). Election District: 3. Councilmember District: 4.
 7. The proposed, not mounted wireless transmitting and receiving facility will consist of (a) 53.7' high ± 6.2" wide ± 2.7" deep panel antennas, and (b) 32' high ± 6.1" wide ± 1.8" deep equipment cabinets.
 8. No water or sanitary utilities are required for the installation.
 9. The information and boundary location shown herein have been compiled from sources believed to be reliable; however their accuracy is not guaranteed and is subject to revision.
 10. Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
 11. No additional site or antenna rights are proposed.
 12. Zoning history: 05-180A Petition for Variance to permit a directional sign of 45 square feet instead of the required 25 square foot sign. Granted January 5, 1995. 05-45 SP4X Special Hearing for a medical area facility as an accessory use and structure to the principal use of a hospital and variance to permit a maximum width of building elevations of 83 feet and 325 feet instead of the required 300 feet, a rear yard setback of 10 feet instead of the required 40 feet, a side yard setback of 5 feet instead of the required 30 feet, a front yard setback of 30 feet instead of the required 60 feet, and a distance between buildings of 30 feet instead of the required 40 feet. Granted August 1, 1995. 07-05 SP4X Special Hearing to approve an amendment of the Order in Case No. 05-45 SP4X to permit the relocation from the main hospital building to the existing pharmacy and optical facility to the medical area facility. Granted June 23, 1997, with restrictions. a. The pharmacy and optical facilities shall be adjacent and accessory to the hospital and together shall occupy no more than 2,000 square feet on the first floor of the medical area facility. b. No outside off-campus advertising of the pharmacy and optical facility shall be permitted. 06-174 SP4X2 Special Exception for a Class B group child care center. Granted December 15, 1998. 02-36-1A Special Exception to permit a maximum building elevation width of 500 feet for a proposed building attached to an existing group in lieu of the maximum width of 300 feet as provided in Section 1501.303. Variances to permit a building setback between a proposed parking garage and the existing hospital care of 90 feet in lieu of the required 100 feet as set forth in Section 1002.2 and CHADP V 8.2 pursuant to Section 504.2, and to permit rear yard of 10 feet and 30 feet in lieu of the required 40 feet as set forth in CHADP V 8.2 pursuant to Section 504.2.
 13. There are no signs proposed for this installation.
 14. Setbacks:

	Required	Provided
Front:	25'	500' ±
Side (rear):	25'	500' ±
Side (rear):	25'	500' ±
Rear:	30'	75' ±
 15. Amenity open space: N/A
 16. Planning: Existing Zoning: 3000 Proposed Zoning: 0
 17. The proposed wireless transmitting and receiving facilities do not obstruct or affect any existing parking spaces.
 18. An Environmental Impact Statement will be provided at the hearing.
- Requested Zoning Action
- Special Exception pursuant to § 505.30.1, and 1801.1C.03, G.C.Z.R. for a wireless transmitting and receiving facility.
- * Paragraphs 5, 100.2.2.1, 100.2.2.2, 100.2.2.3, 100.2.2.4, 100.2.2.5, 100.2.2.6, 100.2.2.7, 100.2.2.8, 100.2.2.9, 100.2.2.10, 100.2.2.11, 100.2.2.12, 100.2.2.13, 100.2.2.14, 100.2.2.15, 100.2.2.16, 100.2.2.17, 100.2.2.18, 100.2.2.19, 100.2.2.20, 100.2.2.21, 100.2.2.22, 100.2.2.23, 100.2.2.24, 100.2.2.25, 100.2.2.26, 100.2.2.27, 100.2.2.28, 100.2.2.29, 100.2.2.30, 100.2.2.31, 100.2.2.32, 100.2.2.33, 100.2.2.34, 100.2.2.35, 100.2.2.36, 100.2.2.37, 100.2.2.38, 100.2.2.39, 100.2.2.40, 100.2.2.41, 100.2.2.42, 100.2.2.43, 100.2.2.44, 100.2.2.45, 100.2.2.46, 100.2.2.47, 100.2.2.48, 100.2.2.49, 100.2.2.50, 100.2.2.51, 100.2.2.52, 100.2.2.53, 100.2.2.54, 100.2.2.55, 100.2.2.56, 100.2.2.57, 100.2.2.58, 100.2.2.59, 100.2.2.60, 100.2.2.61, 100.2.2.62, 100.2.2.63, 100.2.2.64, 100.2.2.65, 100.2.2.66, 100.2.2.67, 100.2.2.68, 100.2.2.69, 100.2.2.70, 100.2.2.71, 100.2.2.72, 100.2.2.73, 100.2.2.74, 100.2.2.75, 100.2.2.76, 100.2.2.77, 100.2.2.78, 100.2.2.79, 100.2.2.80, 100.2.2.81, 100.2.2.82, 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